

b.) Remarks

Claim 13 has been amended in order to the invention with the specificity required by statute and claims 1-12 and 14 have been cancelled in order to reduce the issues. Claims 15-29 are added in order to more specifically recite various preferred embodiments of the present invention.

The subject matter of the amendment is found in the specification as filed, *inter alia*, at page 6, lines 18-25, from page 10, line 19 to page 11, line 1 and from page 16, line 22 to page 17, line 4. Accordingly, no new matter has been added.

Claims 1-14 are rejected under 35 U.S.C. §112, first paragraph, because the Examiner contends the specification does not enable preventing atopic dermatitis. Although this rejection is respectfully traversed, solely in order to expedite prosecution, “preventing” is deleted from claim 13. Accordingly, this rejection is overcome.

Claim 14 is rejected under 35 U.S.C. §§112 and 101. Claims 1-12 are rejected for obviousness-type double patenting, as anticipated under 35 U.S.C. §102(b) by Makimoto (U.S. 6,692,754) and under 35 U.S.C. §103(a) as being obvious over Coirre (U.S. 3,932,638) in view of Berger (EP 0308278). These rejections are all mooted by the foregoing cancellation of claims 1-12.

Regarding a final formal matter, the Examiner notes at page 2 of the Office Action that “the instant application is only entitled to the international filing date of 07/19/2001.” However, Applicants’ international application No. PCT/JP03/14022 was filed October 31, 2003. Clarification is respectfully requested.

In view of the above amendments and remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

Claims 13 and 15-29 remain presented for continued prosecution.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Lawrence S. Perry/
Lawrence S. Perry
Attorney for Applicants
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

LSP\ac

FCHS_WS 1932722_1.DOC